

BUSINESS REPORT

**MONTANA HOUSE OF REPRESENTATIVES
61st LEGISLATURE - REGULAR SESSION**

**HOUSE JOINT APPROPRIATIONS SUBCOMMITTEE ON NATURAL RESOURCES AND
TRANSPORTATION COMMITTEE**

Date: Tuesday, February 17, 2009
Place: Capitol

Time: 9:00 am
Room: 317-C

BILLS and RESOLUTIONS HEARD:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Add Postponed (PP) when appropriate:

Dept of Livestock: DP 601 _____

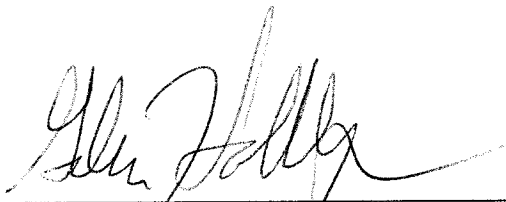
EXECUTIVE ACTION TAKEN:

Prefix (HB, HR, HJR, SB, SR, or SJR) and number. Enter P(pass) F(failed) DPAA (do pass as amended) BC(be concurred in) BCAA (be concurred in as amended):

DNRC: DP 2307-DP4A _____

Dept of Transportation: DP 1503-F , DP 1506-F DP5006-P
GO-Day working capital - P

COMMENTS:



REP. Galen Hollenbaugh, Chairman

HOUSE OF REPRESENTATIVES
Roll Call
NATURAL RESOURCES & TRANSPORTATION SUBCOMMITTEE

DATE: 2/17/09

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
REP. GALEN HOLLENBAUGH, CHAIR	✓	
SEN. RICK RIPLEY, VICE CHAIR	✓	
REP. DUANE ANKNEY	✓	
SEN. JOHN BRENDEN	✓	
REP. LLEW JONES	✓	
REP. ROBERT MEHLHOFF	✓	
SEN. MITCH TROPILA	✓	

**Montana House of Representatives
Visitors' Register**

ASC - NATURAL RESOURCES

Date 2/17/09

Bill Nos. _____ **Sponsor(s)** _____

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Name	Representing	Bill No.	Support	Oppose	Info.
RACHE JUNG	MD f		X		
MIKE FUSILION	MTD		X		
LARRY FLYNN	MDT		X		

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

EXHIBIT *doc*
 DATE *2/17/09*
 NO. *2*

(2) The department shall, during the consideration of appropriation measures by the house and senate, devote so much of its time as may be required by the above-named committees, under the direction of the respective chairmen of the committees.

History: En. Sec. 11, Ch. 194, L. 1951; amd. Sec. 35, Ch. 93, L. 1969; amd. Sec. 51, Ch. 326, L. 1974; R.C.M. 1947, 82-111.

Cross-References

The Legislative Finance Act, Title 5, ch. 12.

17-1-104. Definitions. As used in this chapter, the following definitions apply:

(1) "Agency" means all offices, departments, boards, commissions, institutions, universities, colleges, and any other administrative units of state government.

(2) "Indirect costs" means costs for services that benefit more than one agency or program and that are not readily assignable to the agency or program specifically benefiting.

History: En. Sec. 1, Ch. 121, L. 2005.

17-1-105. Statewide cost allocation plan. (1) The director of the department shall annually prepare a statewide cost allocation plan distributing service agency indirect costs among the agencies, in accordance with principles and procedures established by applicable regulations and guidelines.

(2) An agency required to pay costs under the statewide cost allocation plan shall make payments in four equal installments, due no later than October 1, January 1, March 1, and June 1 of each fiscal year, by depositing the payments into the general fund.

History: En. 79-1021 by Sec. 2, Ch. 223, L. 1975; R.C.M. 1947, 79-1021; amd. Sec. 1, Ch. 579, L. 1983; amd. Sec. 2, Ch. 121, L. 2005; Sec. 17-3-110, MCA 2003; redes. 17-1-105 by Sec. 5, Ch. 121, L. 2005.

17-1-106. Agency recovery of indirect costs. (1) An agency receiving nongeneral funds shall, in accordance with all applicable regulations, guidelines, or grant rules governing those funds, negotiate indirect cost reimbursement amounts and methodologies so that the agency may recover indirect costs.

(2) An agency, except for a unit of the university system, that applies for or otherwise receives funds through federal or private grants or contracts that do not allow the agency to fully recover indirect costs shall notify and must receive written approval from its approving authority prior to accepting the funds.

(3) An agency, except for a unit of the university system, may not, as part of the grant or contract proposal or negotiation process, waive or otherwise forfeit the agency's ability to recover indirect costs that are otherwise allowable costs under the program, except for intra-agency or interagency grants or contracts. For grants or contracts for which the entity providing the funds limits administrative cost reimbursements or indirect cost recoveries by regulation, policy, or guideline, statewide and agency indirect costs paid originally from the general fund must be claimed first, other indirect costs must be claimed second, agency direct costs of administration must be claimed third, and program direct costs must be claimed last. For grants or contracts for which there is no limit on indirect costs or administrative costs, indirect and administrative costs must be claimed first and direct program costs must be claimed last.

(4) Each agency receiving federal funds and not directly charging a grant or program for the recovery of indirect costs shall submit an indirect cost proposal to the appropriate federal agency. The department shall provide technical assistance to an agency on how to build an indirect cost proposal.

(5) Except as provided for a unit of the university system under 20-25-427, indirect costs recovered by an agency to pay the agency's indirect costs under 17-1-105 must be deposited as provided in 17-1-105. All other indirect costs must be deposited in the fund from which the indirect costs were originally paid.

History: En. 79-1022 by Sec. 3, Ch. 223, L. 1975; R.C.M. 1947, 79-1022; amd. Sec. 1, Ch. 37, Sp. L. November 1993; amd. Sec. 1, Ch. 14, Sp. L. August 2002; amd. Sec. 3, Ch. 121, L. 2005; Sec. 17-3-111, MCA 2003; redes. 17-1-106 by Sec. 5, Ch. 121, L. 2005.

17-1-107 through 17-1-110 reserved.

17-1-111. General fiscal duties of state treasurer. (1) The state treasurer is the custodian of all money and securities of the state unless otherwise expressly provided by law.

(2) It is the duty of the state treasurer to: